

OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on June 20, 2005, and called to order by Mayor Kropp at 7:00 p.m. in the City Council Chambers. The following members were present: Madsen, Sandy White, Sutliff, Herb White, Riedel, Schwebs, Fonder, Hoyt, Brogan, Beety, and Lowery.

MOTION to approve the minutes of the June 6, 2005 meeting was made by Brogan, seconded by Hoyt, and carried.

PUBLIC HEARING Mayor Kropp announced time for the public hearing regarding the proposed installation of new sidewalk on the east side of 9th Street from 22nd Avenue extended to 24th Avenue.

Clarence “Joe” Huber, David Mittlestadt, Jim Hintzman, and Kathy Jacobson, spoke opposed to the proposed installation of new sidewalk.

Brian Shefchik suggested that a better place for new sidewalk would be on South Broadway near 28th Avenue. Hearing closed.

PUBLIC COMMENTS Jon Crofford, co-owner of the Menomonie Log Jam, described the proposed time table relating to the demolition of the current Log Jam building and the construction of the new building located at 707 & 709 South Broadway.

Judy Mittlestadt suggested that the Council consider eliminating the sidewalk construction on the east side of 9th Street from 22nd Avenue to 24th Avenue and instead consider cutting down the hill which might serve the community better.

Wendy MacDougal, Director of the Dunn County Health Department, thanked the Council for continuing their discussion regarding smoking ban regulations, and offered her services to collect data or conduct research on this issue.

Craig Stelter requested the Council postpone action until the summer of 2006 on the proposed reconstruction of portions of 4th Street, 5th Street, 9th Avenue and Parking Lot #3 to allow him time to arrange for parking spaces for his tenants.

Rick Morey, District Manager of Northfield Restaurant Corporation (Pizza Hut), announced that he was available to answer questions regarding the request for a “Class B” beer and liquor license for a new Pizza Hut establishment to be constructed at 2307 State Road 25.

Joe Huber requested clarification of the bid process and the breakdown on the preliminary assessment report for the 9th Street proposed sidewalk project. The city engineer described the bid and assessment process.

MOTION authorizing the engineer to solicit bids for the installation of sidewalk on the east side of 9th Street from 22nd Avenue extended to 24th Avenue was made by Lowery, seconded by Sandy White, and carried on the following roll call vote: Ayes: Madsen, Sandy White, Riedel, Schwebs, Fonder, Beety, and Lowery. Noes: Sutliff, Herb White, Hoyt, and Brogan.

DISCUSSION The Council discussed various options relating to possible smoking ban regulations.

MOTION was made by Beety, seconded by Riedel, and carried with Sutliff and Hoyt opposed to form a committee to study possible smoking ban regulations and bring back information to the Council at a future meeting.

DISCUSSION occurred relating to non-profit agency support guidelines. Council members Sandy White and Dick Lowery volunteered to meet with Diane Simon regarding guidelines that the United Way utilizes in their program, and bring the information back to the next meeting.

MOTION to distribute the Council agenda packs no later than the Thursday evening prior to the Council meeting was made by Beety and seconded by Fonder. MOTION to amend the motion so that the agenda packs are delivered no later than Wednesday evening was made by Sandy White, seconded by Riedel, and lost. ORIGINAL MOTION carried on the following roll call vote: Ayes: Madsen, Sandy White, Riedel, Fonder, Brogan, Beety, and Lowery. Noes: Sutliff, Herb White, Schwebs, and Hoyt.

RESOLUTION NO. 34 authorizing the borrowing of not to exceed \$30,000,000 for public purposes including paying the cost of capital improvement projects - 2005 through 2010 was introduced and moved for adoption by Lowery, seconded by Beety, and carried.

RESOLUTION NO. 35 acknowledging review of the Sewer Utility 2004 Compliance Maintenance Annual Report (CMAR) was introduced and moved for adoption by Sandy White, seconded by Madsen, and carried.

BIDS were received for 4th Street (Wilson Avenue to 9th Avenue); 5th Street (Wilson Avenue to 9th Avenue; 9th Avenue (4th Street to 6th Street); and Parking Lot #3 as follows: Pember Excavating - \$347,256.53.

MOTION to accept the bid of \$347,256.53 from Pember Excavating, contingent upon eliminating the sidewalk on the north side of the 400 block of 9th Avenue; the contractor providing the necessary bonding and insurance; and negotiating the change orders, as recommended by the city engineer and the public works director, was made by Lowery, seconded by Beety, and carried on roll call vote.

MOTION to accept the offer of \$50,000 an acre from Lewis Properties III, LLP for two (2) acres of industrial park land located adjacent to I-94 and north of Freitag Drive was made by Sandy White, seconded by Fonder, and carried on roll call vote.

MAYOR’S REPORT The agenda pack included a copy of a report relating to storm water management titled “Galloway Creek Monitoring Report to the City of Menomonie” that was created by Krista James, BIO 111 instructor at UW-Stout, and her students; the May EMS and Fire Response reports from the fire department; and the May building inspection report.

MOTION was made by Beety, seconded by Hoyt, and carried on roll call vote to approve payment of the following claims:

<u>Claims</u>	
Airtec	\$ 71.22
Cardmember Services (Elan)	2,742.83
City of Eau Claire	279.00
D. S. Electric	594.74
Dunn County Solid Waste	175.60
Durand Ready Mix	2,179.00
First Supply, LLC	95.34
Galls	3,872.64
Midwest Engineering Service	2,000.00
Red Cedar Clinic	252.00
Tru Lock Security, Inc.	65.70
WI Dept. of Natural Resources	12,222.57
<u>Parking Utility</u>	
Cardmember Services (Elan)	53.90
Ronald Koenig	110.50

LICENSES MOTION was made by Lowery and seconded by Madsen to approve the license list, as presented. MOTION to amend the motion and remove Log Jam, Inc. (Menomonie Log Jam - 707 & 709 South Broadway) from the license list was made by Sandy White, seconded by Sutliff, and lost. ORIGINAL MOTION to approve the following licenses, as presented, carried:

LICENSE YEAR - 2005 (expires June 30, 2005)

TAXI CAB: Klassic Cab, LLC (2233 South Broadway).

TAXI CAB DRIVER: Lonne C. Keck.

LICENSE YEAR - 2005 / 2006 (expires June 30, 2006)

CIGARETTE: K-Mart - #3541; Harvey J. Probst and Judith A. Probst (Parkside); Silver Dollar Saloon & Brick Co., Inc. (The Buck, Main Street Liq., Silver Dollar Saloon & Brick Co., Inc., 315 - 327 Main Street) **SUBJECT TO SUBMITTAL OF WISCONSIN SELLER'S PERMIT**; Wal-Mart Stores East, LP (Wal-Mart Supercenter #1819).
CLASS A BEER: Wal-Mart Stores East, LP (Wal-Mart Supercenter #1819 – 180 Cedar Falls Road).

CLASS B BEER & LIQUOR:
Gourmet Systems of Minnesota, Inc. (Applebee's Neighborhood Grill & Bar – 2303 Hwy. 25 North), **SUBJECT TO FINAL INSPECTION**;

Silver Dollar Saloon & Brick Co., Inc. (The Buck, Main Street Liq., Silver Dollar Saloon & Brick Co., Inc., 315 - 327 Main Street), **SUBJECT TO NOTIFICATION FROM THE WISCONSIN DEPARTMENT OF REVENUE THAT THE SELLER'S PERMIT OF THE APPLICANT HAS BEEN RE-INSTATED.**

CLASS B BEER & LIQUOR: The following four (4) establishments are under construction at this time. All are subject to final inspection, and approval is valid for six (6) months from the date of granting - Council review required in December 2005 if licenses are not issued and exercised:

- Northern Star Hospitality, Inc. (**Green Mill -1827 North Broadway**);
- Log Jam, Inc. (**Menomonie Log Jam - 707 & 709 South Broadway**), Chg. of Agent - Kristin A. Coons;
- Harvey J. Probst and Judith A. Probst (**Parkside -932 North Broadway**);
- Northfield Restaurant Corp. (**Pizza Hut - 2307 State Road 25 (Lot 2, CSM 2267)**).

MASSEUSE: Nicole C. Baier **SUBJECT TO FILING A CERTIFICATE OF INSURANCE, AND CURRENT MEMBERSHIP IN ABMP**; Kimberly S. Craig; Nellie J. Hubbard.

MASSAGE THERAPY FACILITY: Leissa R. Blank (Leissa's Hair Studio & Day Spa - 226 Main Street) **SUBJECT TO FINAL INSPECTION.**

MOBILE HOME PARK: Laurel E. Hague (Wilson Mobile Estates, 3003 and 3014 Wilson Street).

OPERATORS: Tiffany S. Acker; Michelle L. Allram; Ryan R. Anderson; Desiree A. Bailey; Shawn M. Barthalomew; Jeremiah L. Bauer; Mary C. Bauer; Cheryl L. Borden; Stephanie A. Broten; Tammy J. Bruender; Karissa L. Decker; Amanda M. DeSmith; Kate M. Destree; Bruce J. Diamond; Krista K. Djoseland; Joe D. Downey; Angela R. Evenson; Cassy J. Fedderly; Patricia A. Fox; Andrew T. Foris; Oliver D. Gaston; Tiffany R. Grabow; Jay C. Gremore; Cherie A. Haglund; Laura M. Hainstock; Amanda R. Hanke; Brian M. Hersperger; Lindsay J. Himlie; Lois A. Hintzman; Lisa J. Hoff; Terri J. Jenneman; Matthew J. Keays; Patrick K. Kelley; Kari E. Kelly; Kristi R. Korkowski; Eric H. Kuphal; Geraldine R. McManus; Susan M. Merk; Joseph E. Miller; Alyson M. Mitchell; Melinda L. Mleczeko; Christine M. Morgen; Andrea M. Mossong; Jeremiah J. Reichert; David J. Rhead; Tiffany S. Rigdon; Lane J. Rowell; Sherri M. Scholfield; Jill E. Slowiak; Adam J. Stewart; Michael E. Steinmeyer; Tanya L. Stoeklen; Adam P. Stuhr; Rebecca L. Tahtinen; Julie A. Thompson; Ramona A. Vann; Abby F. VerVoort; Kathryn L. Walker; Dustin W. Weiker; Daniel C. Weiland; Jena L. Weiler; Jessica A. Wittig; George E. Zewe.

TAXI CAB: Klassic Cab, LLC.

TAXI CAB DRIVER: Dody A. Cockeram; Teresa A. Huberkeck; Lonne C. Keck.

MOTION to convene in closed session under Wisconsin Statutes 19.85 (1) (c),(e), and (g) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body had jurisdiction or exercises responsibility; deliberating or negotiating the purchase/sale of public properties; the investing of

public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved was made by Brogan, seconded by Lowery, and carried on roll call vote.

MOTION to return to open session was made by Fonder, seconded by Hoyt, and carried on roll call vote.

No action was taken.

MOTION to adjourn was made by Brogan, seconded by Herb White, and carried.

JoAnn L. Kadinger, City Clerk

